

## **REMARKS**

In the Office Action of October 9, 2007, claims 1-2, 7-10, 12, 14, 15, 19, 21, 23, 24, 28 and 30 were rejected under 35 U.S.C. 102(e) as allegedly being anticipated by U.S. Patent No. 6,693,510 (hereinafter “Yamaguchi”). In addition, claims 3-6, 11, 13, 16-18, 20, 22, 25-27, 29 and 31 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Yamaguchi in view of U.S. Patent Application No. 2003/0085990 A1 (hereinafter “Saburi”) or in view of U.S. Patent No. 6,658,264 (hereinafter “Irvin”). Furthermore, the Office Action has provided a suggested arrangement of the specification.

With respect to the suggested arrangement of the specification, Applicant respectfully declines to amend the specification in the manner suggested.

With respect to the claim rejections, Applicant has amended the independent claims 1 and 14 to more particularly distinguish the claimed invention from the cited references of Yamaguchi, Saburi and Irvin. Applicant has also canceled claims 2, 3, 15, 16, 24 and 25 and has amend claims 4-7, 10, 12, 17, 21, 23, 26 and 27. As amended, Applicant respectfully asserts that the independent claims 1 and 14 are neither anticipated nor obvious in view of the cited references of Yamaguchi, Saburi and Irvin, as explained below. In view of the claim amendments and the following remarks, Applicant respectfully requests that the pending claims 1, 4-14, 17-23 and 26-31 be allowed.

### **25 A. Patentability of Amended Independent Claims 1 and 14**

As amended, the independent claim 1 recites in part “*a first switching means including multiple inputs to receive one or both of the input digitized video signal and the input digitized audio signal, the first switching means including multiple outputs connected to the video encoder and the audio encoder to transmit one or both of the input digitized video signal and the input digitized audio signal to the video encoder and the audio encoder,*” which are not disclosed in the cited references of Yamaguchi, Saburi and Irvin. Thus, Applicant respectfully asserts that the amended independent

claim 1 is neither anticipated by the cited references nor obvious in view of the cited references, and requests that the amended independent claim 1 be allowed.

The cited references of Yamaguchi, Saburi and Irvin discloses various switches used in a communication device. The cited reference of Yamaguchi discloses a switch in Fig. 2 which can connect a demodulator 16 to either a memory 20 or a demultiplexer 22. Thus, the switch of Yamaguchi includes a single input, which can be connected to one of two outputs. The cited reference of Saburi discloses a similar switch 4, which includes one input and two outputs. However, the cited reference of Saburi also discloses a switch 5, which includes two inputs and one output, and a bi-directional switch 3, which can be viewed as including one input and two outputs or two inputs and one output. The cited reference of Irvin discloses a switch 324, which includes one input and two outputs, and a switch 334, which includes two outputs and one input.

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However, these cited references of Yamaguchi, Saburi and Irvin do not disclose a switch that includes multiple inputs and multiple outputs “*connected to the video encoder and the audio encoder to transmit one or both of the input digitized video signal and the input digitized audio signal to the video encoder and the audio encoder,*” as recited in the amended independent claim 1. Thus, none of these cited references discloses the claim limitations of “*a first switching means including multiple inputs to receive one or both of the input digitized video signal and the input digitized audio signal, the first switching means including multiple outputs connected to the video encoder and the audio encoder to transmit one or both of the input digitized video signal and the input digitized audio signal to the video encoder and the audio encoder.*”

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.

30 *Verdegaal Bros. v. Union Oil of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Since none of the cited references of Yamaguchi, Sabuir and Irvin discloses “*a first switching means including multiple inputs to receive one or both of the input digitized video signal and the input digitized audio signal, the first switching*

*means including multiple outputs connected to the video encoder and the audio encoder to transmit one or both of the input digitized video signal and the input digitized audio signal to the video encoder and the audio encoder,”* the amended independent claim 1 is not anticipated by these references.

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To establish a *prima facie* case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). Since none of the cited references of Yamaguchi, Saburi and Irvin discloses “*a first switching means including multiple inputs to receive one or both of the input digitized video signal and the input digitized audio signal, the first switching means including multiple outputs connected to the video encoder and the audio encoder to transmit one or both of the input digitized video signal and the input digitized audio signal to the video encoder and the audio encoder,*” these references even if combined do not teach or suggest all the limitations of the amended independent claim 1. Thus, the amended independent claim 1 is not obvious in view of the cited references of Yamaguchi, Saburi and Irvin. As such, Applicant respectfully requests that the amended independent claim 1 be allowed.

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The above remarks are also applicable to the amended independent claim 14, which recites similar limitations as the amended independent claim 1. Thus, the amended independent claim 14 is also neither anticipated by the cited references nor obvious in view of the cited references. As such, Applicant respectfully requests that the amended independent claim 14 be allowed as well.

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#### B. Patentability of Dependent Claims 4-13, 17-23 and 26-31

Each of the dependent claims 4-13, 17-23 and 26-31 depends on one of the amended independent claims 1 and 14. As such, these dependent claims include all the limitations of their respective base claims. Therefore, Applicant submits that these dependent claims are allowable for at least the same reasons as their respective base claims.

Applicant respectfully requests reconsideration of the claims in view of the remarks made herein. A notice of allowance is earnestly solicited.

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Respectfully submitted,  
Aravind Soundararajan

Date: January 9, 2008

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By: /thomas h. ham/  
Thomas H. Ham  
Registration No. 43,654  
Telephone: (925) 249-1300